

1 UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

2 -----x

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 -against-

6 DAN ZHONG,

7 Defendant.
8 -----x

9 TRANSCRIPT OF CRIMINAL CAUSE FOR TRIAL
BEFORE THE HONORABLE ANN M. DONNELLY
10 UNITED STATES DISTRICT JUDGE
BEFORE A JURY

11 APPEARANCES

12 For the Government:

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24 Proceedings recorded by mechanical stenography. Transcript
25 produced by computer-aided transcription.

GEORGETTE K. BETTS, RPR, FCRR, CCR
Official Court Reporter

FORFEITURE HEARING

1 (In open court; jury not present.)

2 THE COURTROOM DEPUTY: All rise.

3 THE COURT: Everybody can sit down. Good morning
4 everyone. Let's start with the easy thing first. I got the
5 defense verdict sheet change.

6 Do you have any problems with those changes? They
7 look okay to me.

8 MR. SOLOMON: We've just had some discussions with
9 defense counsel, I believe we've reached a compromise as to
10 the last clause of the introductory sentence, apart from that
11 we're fine.

12 THE COURT: So we're on the verdict sheet now,
13 right?

14 MR. SOLOMON: Yes.

15 THE COURT: Tell me what you agreed on.

16 MR. SOLOMON: So what we agreed on was -- and,
17 apparently, we just emailed this to the Court, so the question
18 would be: Did the government prove by a preponderance of the
19 evidence that the following properties were involved, and this
20 is all the same, used, or intended to be used, to commit, or
21 to facilitate the commission of the below offenses, and here's
22 where it changes, for which the jury has convicted the
23 defendant, Dan Zhong, question mark.

24 THE COURT: Okay. Let me just read that back to
25 make sure I'm right. Did the government prove by a

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1 preponderance of the evidence that the following properties
2 were involved and used, all of that, to facilitate the
3 commission of the offenses.

4 MR. SOLOMON: The below offenses.

5 THE COURT: The below offenses. Say it again.

6 MR. SOLOMON: Sure. The commission of the below
7 offenses for which the jury has convicted the defendant, Dan
8 Zhong, question mark.

9 THE COURT: Okay.

10 MR. SOLOMON: And there is -- we also found a
11 typographical error in our initial verdict form, so in
12 subparagraph d., as in David, it should be 57-07 Parsons,
13 rather than 57-05 Parsons.

14 THE COURT: Okay. Then with respect to the charge,
15 I think the only real point of contention was this forfeiture
16 of the entire property and I think the point of it is just to
17 make sure the jury knows that even if only part of the
18 property is used illegally, that the entire property is
19 subject to forfeiture. Do I have that right? Am I right
20 about that?

21 MR. SOLOMON: That's correct, Your Honor.

22 THE COURT: So I took out the statute and all that
23 stuff and it now reads: Even when only part of the property
24 is used illegally, the entire property is subject to
25 forfeiture. I think that's correct and I think the point of

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1 that inclusion is just to make that point.

2 Do you have any problem with that?

3 MR. SNELL: Judge, our only issue on that is, I
4 don't think there's any evidence that only a part of the -- it
5 just seems like it's something that's not in the case already,
6 that a part of a property as opposed the entire thing. That's
7 certainly not an argument I'm planning to make, so that was
8 the basis for our objection.

9 THE COURT: I see. Since it's not wrong and just in
10 case -- sometimes jurors have thoughts and feelings of their
11 own, so I think it's fair. I've just made it a lot shorter
12 and I took out that duplicative part that's third-party
13 interests and -- and excessiveness which is in 10, so it
14 seemed to say it twice so I just took that part out of that
15 one.

16 Do you have any problem with that?

17 MR. SOLOMON: That's fine.

18 THE COURT: Have you had a chance to look -- did we
19 give them -- okay. So look it over, they don't need the
20 introductory part.

21 THE INTERPRETER: Your Honor, can the interpreter
22 have a copy, please? Thank you.

23 MR. SOLOMON: Can we have a couple of minutes, Your
24 Honor?

25 THE COURT: Sure.

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1 Are we good.

2 MR. SOLOMON: Your Honor, we found the same
3 typographical error, it probably came from our original
4 instructions. This is on page 3 paragraph six --

5 THE COURT: The number 57-07.

6 MR. SOLOMON: Yes. Other than that, the government
7 is fine.

8 MR. SNELL: Mr. Solomon beat me to the punch on the
9 typo, but --

10 THE COURT: You guys are so alert.

11 MR. SNELL: -- I do have one thing I noticed, the
12 last sentence of instructions three and four is the same, I
13 think it only needs to be there once.

14 THE COURT: I think that's probably true. You don't
15 have any objection to that, do you?

16 MR. SOLOMON: Your Honor, these are different
17 statutes.

18 THE COURT: I mean, again I don't think this is the
19 key to the case, but I think I'm just going to leave it. I
20 don't think it is unfairly prejudicial.

21 All right, are we ready for the jury? I guess so.

22 MR. SOLOMON: Can I just move the podium over?

23 THE COURT: Sure.

24 (Jury enters courtroom.)

25 THE COURT: Let me see the lawyers at the side with

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1 the court reporter.

2 (Sidebar conference.)

3 (Continued on the next page.)

SIDEBAR CONFERENCE

1 THE COURT: I wanted to clarify, we should get the
2 alternates as well, they're here. I don't think it's going to
3 matter.

4 (End of sidebar conference.)

5 (Continued on the next page.)
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1 (In open court.)

2 THE COURT: Sorry, folks, we just need to get the
3 alternate jurors.

4 THE JURY: Should we go back there?

5 THE COURT: No, you're good.

6 (Alternate jurors enter courtroom.)

7 THE COURTROOM DEPUTY: You may be seated.

8 THE COURT: All right, everybody, good morning.

9 THE JURY: Good morning.

10 THE COURT: You have worked very hard throughout the
11 course of this trial, all of you. On Friday you found that
12 Mr. Zhong was guilty of five of the counts that are charged in
13 the indictment. There is one more job that you have to do.
14 In a case like this, the government has the right to seek
15 forfeiture of certain property and property that is alleged to
16 be related to the crimes that were charged in the indictment.
17 What we're going to ask you to do is deliberate and consider a
18 special verdict about whether Mr. Zhong must forfeit certain
19 property to the United States because of its connection to the
20 defendant's criminal activities. What that means is, what
21 forfeiture means is that Mr. Zhong would lose ownership or any
22 interest in the property.

23 The parties are going to present some arguments to
24 you, after that happens I'll give you the law on the issue of
25 forfeiture. In considering whether a property is subject to

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1 forfeiture, you should consider the evidence that you heard
2 throughout the course of the trial. You should evaluate that
3 evidence and the credibility of that evidence, just as I
4 explained to you last Friday in my final instructions. Your
5 previous determination that the defendant is guilty of
6 committing the crimes that were charged in the indictment is
7 final, so this is not -- you should not be revisiting that
8 determination.

9 The issue here is whether or not certain property is
10 subject to forfeiture. I know we have our alternate jurors
11 here and I'll speak to you again after the trial. This will
12 be a decision that our regular jurors will decide, our
13 alternates are here as insurance just in case something were
14 to happen, but I'm not too concerned about that.

15 All right, so with that we'll hear from the
16 government.

17 MR. SOLOMON: Thank you, Your Honor. Good morning.
18 So as the judge indicated, you have one final task before you
19 and that's to determine whether certain properties alleged in
20 the indictment are forfeitable to the government. In
21 particular, the law makes property used to commit, or to
22 facilitate crimes alleged in the indictment forfeitable to the
23 government. The question is not whether a property was used
24 in part or in total, even if a part of a property was used --
25 again, the Judge is expert on the law, I expect you'll be

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1 hearing instructions on this point. If part of a property is
2 used to commit a crime or if property is used only one time to
3 commit a crime, the entire property is forfeitable to the
4 government.

5 So there are six properties in this case. You've
6 heard a lot about these -- much more comfortable -- you've
7 heard a lot about these properties through the course of the
8 trial. Four of them are right here.

9 So there's 57-07 Parsons Boulevard, that's where
10 Randi Lin's house was and that's where you saw the inspection
11 performed by Special Agent Ioannidis.

12 There is 304 Fifth Avenue, which was built through
13 the help of China Rilin workers.

14 The defendant's home in Livingston, New Jersey at 54
15 Glendale.

16 4 Valentine Farm Court, which we affectionately
17 refer to as the big house.

18 And there are two other properties as well. Randi
19 Lin also had a co-op, I'll talk to you a little bit about that
20 in a moment, on Beech Avenue in Queens and, lastly, there is
21 also 210 Pavonia, which you've heard a lot about during the
22 trial.

23 So the analysis for almost all of these properties
24 is exactly the same. You heard abundant evidence at trial
25 establishing that at these specific locations you had China

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1 Rilin workers doing work. And you know that the work was
2 forced, that they were forced into doing this work, so that
3 means that the work was done in violation of the forced labor
4 statutes in Counts One and Counts Two.

5 Additionally, you know that the work was done in
6 part through causing workers to do the work because the
7 company withheld their passports. So that's in violation of
8 Count Three, which is the withholding the passports count.

9 And you also know that the work was done in
10 violation of the workers' visas, they were brought to this
11 country to do work at diplomatic facilities and once they were
12 made to do private contracting work that violated the terms of
13 their visas, that's Count Five.

14 Count Four was the alien smuggling which meant that
15 every time these workers were transported to sites that they
16 were not authorized to work, that was in further violation of
17 the alien smuggling statute.

18 So there are two properties I want talk to you about
19 in particular, but before I get to those, one thing you're
20 going to hear from the Judge is there is a different standard
21 of review for forfeiture for a portion of the case. So the
22 standard of the review or the burden of proof that you dealt
23 with in the first part of the case was beyond a reasonable
24 doubt. The burden of proof here is called preponderance of
25 the evidence. The Judge will define what exactly that means.

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1 It's a lesser standard. Some people refer to as more likely
2 than not. One way to think of it is, if the ball moves past
3 the 50-yard line even an inch, then it's more likely than not
4 that's the preponderance of the evidence.

5 So let's talk about two of the properties you
6 haven't maybe heard too much about in terms of the evidence.
7 So let's first talk about Glendale Avenue because there wasn't
8 as much evidence that may be at the top of your mind as to
9 what specific work China Rilin did at that location.

10 So you've heard testimony from two different
11 witnesses. Early on at trial you heard from one of the
12 defendant's neighbors, Jennifer Liu. And Jennifer Liu
13 testified that she observed work being done on the stairs to
14 Dan Zhong's house, and this is on page 305 of the transcript,
15 line 14, They were fixing his front steps. And later on she
16 goes on to say that that took two or three days at the most.

17 You also had testimony from Ray Tan, page 368 of the
18 transcript. So he testified that he saw China Rilin workers
19 doing work on the walls to make them more smooth and later on
20 he testified that a China Rilin engineer was in charge of that
21 work.

22 So you also had testimony from Ken Wang and De Gao.
23 De Gao was the individual who's friends with the defendant and
24 Ken Wang testified and De Gao testified that they both saw
25 China Rilin workers being used as personal servants for the

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1 defendant and his family. So this is what Ken Wang said on
2 page 707, that he saw China Rilin workers being used to drive
3 Dan Zhong and his family members around as needed. And then
4 he has the anecdote about waking up after drinking too late
5 and seeing one of the workers being used as Dan Zhong's
6 personal chef. So that is the defendant's property at 54
7 Glendale Avenue in Livingston.

8 Let's turn back to Randi Lin's co-op, and I'm making
9 my colleague go crazy because I'm going out of order, but the
10 co-op, as you may recall, we heard testimony from Special
11 Agent Phillips about messages, WeChat messages found on Randi
12 Lin's phone between Randi Lin and Wang Landong. And in those
13 messages you saw communications about work that was being done
14 at Randi Lin's co-op on Beech Avenue in Queens. So one of the
15 first messages -- and this is from March 26, 2015, you may
16 recall early on in the WeChat messages there are a series of
17 photographs that Randi Lin sends to Wang Landong, and then she
18 describes them here. She says: This is the photo sequence,
19 this is the exact rooms we're seeing and this is what I need
20 done. Later on she helpfully includes the precise address,
21 147-37 Beech Avenue, Apartment 2C in Flushing. The chat
22 continues on. This, again, is in Exhibit 801. So they have
23 some communications and this is in May of 2015 about what
24 happened to the workers, they encountered someone from
25 property management. As you may recall from the messages,

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1 Randi Lin did not obtain the necessary approvals from the
2 co-op board before the work started on her co-op, so they had
3 a discussion as to how to complete the renovations
4 surreptitiously so that no one from the co-op board realizes
5 what's going on. I think that's -- there maybe one more page.
6 They also discuss lying to the property management board about
7 what exactly is going on at the location.

8 So you also heard testimony from Special Agent
9 Phillips who testified that he actually visited this precise
10 address, the Beech Avenue co-op and met with tenant who is
11 living there and he took a picture, some picture of what it
12 looked like inside and noticed it appeared to be freshly
13 renovated. So that's the Beech Avenue co-op.

14 So the other property I wanted to quickly discuss is
15 210 Pavonia, which is not depicted here but the analysis is a
16 little bit different. You didn't hear testimony at trial
17 about improvements or work being done by China Rilin workers
18 at 210 Pavonia, that doesn't mean the property is not
19 forfeitable. So, first of all, you know back from 2011 that
20 workers were improperly restrained there, that's when there's
21 the housing inspection, the housing inspectors find there are
22 double key cylinder locks on the outside door, the doors of
23 egress from the facility. So that was in furtherance of the
24 forced labor conspiracy.

25 You also know that when the housing inspector show

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1 up, Wang Landong arrives with Ray Tan, one of the two of them
2 arrives, they bring the passports and Wang Landong takes the
3 passports away. So you know the workers didn't have their
4 passports, that's in furtherance of the withholding passports
5 charge. And you know that we presented evidence on work that
6 was done on the Bank of China dormitory in approximately 2009,
7 2010, and you know during that time frame that workers were
8 transported from their dormitories to work sites, so that
9 would be violation of Count Four, which is the alien smuggling
10 statute charge, and also in violation of Count Five, which is
11 the visa fraud count.

12 Additionally, you know that in 2016 when Special
13 Agent Phillips and the FBI conduct the search of 210 Pavonia,
14 they find that the house was basically used as a stash house
15 to hold contraband and evidence in furtherance of the forced
16 labor scheme. So here we have the documents, this is the
17 first page of Exhibit 310 which were the documents to track
18 the escapees from China Rilín. And you also saw Agent
19 Phillips testify about the stack of loan documents he also
20 found in Ma Dongsheng's room in the same facility and where I
21 asked him how high it was and he said about six inches and we
22 all know it was probably a little bit higher than that
23 probably.

24 So that is the end of -- I've reached the end of my
25 remarks, I'm sure you're thankful it's much shorter this time

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1 around. I submit that we have presented you with sufficient
2 evidence to find by a preponderance of the evidence that the
3 alleged properties, the six properties, so that's the house in
4 Parsons, 304 Fifth Avenue, Glendale Avenue, the big house at 4
5 Valentine Farm Court, 210 Pavonia, and Beech were used to
6 commit or to facilitate the charged crimes, and I further
7 submit to you that such a finding would be consistent with
8 your finding of the guilt, the defendant is guilty of all
9 charges. Thank you.

10 THE COURT: Thank you, Mr. Solomon. Mr. Snell.

11 MR. SNELL: Good morning, everyone.

12 THE JURY: Good morning.

13 MR. SNELL: Like the Judge and Mr. Solomon, I want
14 to acknowledge as well the hard work and service you've put
15 into this case. You performed a very difficult task, although
16 the --

17 THE COURTROOM DEPUTY: Mr. Snell, we can't hear you.

18 THE INTERPRETER: The interpreter cannot hear, his
19 mic is not working.

20 MR. SNELL: Is that better?

21 Although the result was not at all what we were
22 hoping for, we're not here today to ask you to reconsider that
23 decision, this is a different task as has already been
24 explained to you and the task is very important.

25 I don't think this is working at all, I'm going put

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1 it back.

2 THE COURT: I think it is working.

3 MR. SNELL: I'll speak up.

4 THE COURT: All right.

5 MR. SNELL: The government is seeking to forfeit the
6 listed six properties that you just heard about, and while I'm
7 not conceding anything at all with respect to any of those
8 properties, there is one in particular that I really want to
9 ask you to focus on and that is this one, 54 Glendale Avenue
10 in Livingston. The family home of Mr. Zhong and his wife and
11 his 10-year old daughter. I want to spend a few minutes with
12 you just to focus on the evidence that Mr. Solomon very
13 briefly summarized and I submit to you that it was brief
14 because there really is extremely small amount of evidence
15 with respect to 54 Glendale.

16 And the specific question that I'd like you to
17 concentrate on is whether the government has met its burden of
18 proving by a preponderance of the evidence that 54 Glendale
19 was used and used to facilitate the crimes that you found
20 Mr. Zhong committed. I submit to you that the evidence about
21 what happened at 54 Glendale is far too vague and sketchy to
22 support such a conclusion.

23 You heard that there were some workers there at
24 various points, but you were given really very few details
25 about what they were doing and when they were doing it. You

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1 heard that Mr. Zhong entertained some people there, that there
2 were some parties. There was a Chinese New Year's party and
3 there were people from the company there. You heard that
4 there was a cook at 54 Glendale but you did not hear anything
5 about whether that cook was employed by China Rilin in this
6 country on an A2 visa. You heard he was Chinese. Lots of
7 people are Chinese.

8 Ken Wang said he thought that the cook lived there
9 based on nothing more than the fact that the morning after a
10 party the cook cooked breakfast, that's it. And as eager as
11 Ken Wang was to help out the government in this case, he
12 wasn't able to tell you anything more about when the party
13 took place, whether it was within the indictment period, 2010
14 to 2016, what the cook was doing, was he forced to be cooking
15 that morning or was that just something that happened.

16 Ray Tan said he saw some work being done at the
17 house. He, too, could not give you any information about when
18 that work was done. He was asked, he said he didn't know. He
19 was very vague about the whole incident. And you know from
20 his testimony, listening to Ray Tan's testimony that he had
21 some confusion himself about what and when happened at various
22 points.

23 Now, Mr. Solomon also mentioned the neighbor,
24 Jennifer Liu. She testified very briefly early in the case
25 and all she said was that she saw some Chinese workers at the

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1 house working on the front steps. She didn't know anything
2 about where they were from, she didn't say anything about what
3 their immigration status might be, she didn't interact with
4 them at all. So she really did not contribute anything
5 towards the decision that you need to make this morning. In
6 fact, I submit that it would be sheer speculation based on the
7 evidence that was presented to you to conclude that 54
8 Glendale was used in connection with and to facilitate the
9 crimes that you've found.

10 And why do I say speculation? Mainly because there
11 was one witness who did have some information that was
12 specific about Chinese workers at 54 Glendale and his
13 information, his testimony was contrary to what the government
14 has presented and that of course is De Gao, who Mr. Solomon
15 mentioned as testifying that China Rilin workers were at 54
16 Glendale. Actually, that's not what De Gao testified. De Gao
17 testified, you'll remember, that he himself hired a crew of
18 Chinese workers after the China Rilin workers were no longer
19 coming to work at 304 Fifth Avenue and De Gao testified that
20 he brought a group of Chinese workers and his own father to 54
21 Glendale to do some maintenance repair work. That's the
22 testimony. And that happened in 2015, 2016, squarely in the
23 time that we're concerned about. That's not all. De Gao also
24 testified that there was a cook at 54 Glendale and he was
25 Chinese, but he did not say that this was someone who worked

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1 for the company. Lots of people are Chinese. Just because
2 they're Chinese does not mean they were part of any of the
3 crimes that were committed here.

4 I'm going to wrap up. As a result of your decision
5 this past Friday, Mr. Zhong stands convicted of very serious
6 crimes. As Judge Donnelly told you early on in her charge on
7 Friday, any punishment is up to the Court. That day will
8 come. That's not your job here, rather it's your job to
9 determine whether the government has carried its burden, its
10 burden of proving that each of the properties here was used in
11 connection with and to facilitate the crimes that you found.

12 You're going to make that determination property by
13 property, case by case. And you'll need to do that by asking
14 yourselves whether specifically in each case did the
15 government meet its burden. Was the particular piece of
16 property that you're considering actually used to facilitate
17 the commission of these crimes? Was 54 Glendale especially,
18 the home of Mr. Zhong and his family, used to facilitate a
19 forced labor conspiracy, substantive forced labor, concealing
20 passports, smuggling of aliens, visa fraud conspiracy, was it
21 used to do any of those things?

22 I'm confident that you're going to carry out your
23 responsibility here every bit as conscientiously as you've
24 done the rest of your job the last three weeks and I'm also
25 confident that once you've considered all of the evidence this

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1 one last time, you'll reach the one just conclusion that the
2 government simply has not met its burden.

3 Thank you very much for your attention.

4 THE COURT: Thank you, Mr. Snell.

5 Can I just see the lawyers at the side, no need for
6 the court reporter.

7 (Sidebar off the record.)

8 THE COURT: Mr. Solomon.

9 MR. SOLOMON: Thank you, Your Honor. I'll be very
10 brief. So defense counsel got up here and basically said
11 there's no evidence you can rely on to show that forced labor
12 was conducted at Dan Zhong's house in Livingston. Here's all
13 the corroboration you need. See that, this is a Google image
14 and if you look at the bottom it says August 2013, that's the
15 middle of the indictment period, that's all the corroboration
16 you need to know that Dan Zhong was using China Rilin workers
17 as personal servants at his house in Livingston, New Jersey.

18 And, lastly, there's some reference by defense
19 counsel to the testimony of De Gao. Here's exactly what
20 De Gao said. He was asked if he ever saw anyone working at
21 the house and he said he saw a cook. And if you remember the
22 testimony of Ken Wang, the last thing he said was he was
23 cooked a meal after a hangover meal by one of the China Rilin
24 workers at that very house. Thank you.

25 THE COURT: Thank you, Mr. Solomon. All right.

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1 Ladies and gentlemen, I'm now going to give you the
2 law that applies to forfeiture. All the instructions that I
3 gave you last week still apply. This one won't be quite as
4 long. That means that you have to follow the law as I give it
5 to you and apply the law to the facts as you find them to be.
6 It is your sworn obligation, as it was last week, to follow
7 the law whether you agree with it or not. And even though the
8 lawyers might have talked a little bit about the law in their
9 argument, you must be guided only by what I charge you on the
10 law.

11 So under Title 18, United States Code,
12 Section 1594(d), any person who is convicted of forced labor
13 conspiracy, forced labor, or concealing passports and
14 immigration documents in connection with forced labor, these
15 are Counts One, Two and Three, is required to forfeit to the
16 United States any property, real or personal, that was
17 involved in, used, or intended to be used to commit or to
18 facilitate the commission of any such offenses, and any
19 property traceable to such property. The purpose of this law
20 is to ensure that no one profits from his criminal conduct.

21 Under Title 18, United States Code,
22 Section 982(a)(6), any person who is convicted of the offenses
23 of alien smuggling conspiracy or visa fraud conspiracy, these
24 are Counts Four and Five of the indictment, is required to
25 forfeit to the United States any property, real or personal,

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1 that is used to facilitate or intended to be used to
2 facilitate the commission of either such offenses. Again, the
3 purpose of this law is to ensure that no one profits from his
4 criminal conduct.

5 For property to be considered facilitating property
6 subject to forfeiture, it must be used or intended to be used
7 in any way to commit or to facilitate the commission of the
8 offenses that you have convicted -- of which you have
9 convicted the defendant. Facilitating property that is
10 subject to forfeiture is any property that makes the crime
11 easier to commit or harder to detect.

12 There must be more than an incidental or fortuitous
13 connection between the property and the offense for you to
14 find that the property facilitated or was intended to
15 facilitate the commission of the offense. However, the
16 property did not need to be indispensable to the commission of
17 the illegal activity. Nor does the property have to have been
18 used by the defendant exclusively for this behavior to be
19 forfeited; property may be forfeited even if it is used for
20 legitimate purposes the majority of the time. The
21 facilitation of even a single felony offense is sufficient to
22 justify forfeiture.

23 Now in this case the government alleges that the
24 following property is subject to forfeiture, as being involved
25 in, used, or intended to be used to commit or to facilitate

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1 the commission of the offenses by the defendant, or as
2 property traceable to such property. I'm going to list those
3 properties for you now:

4 The real property and premises located at 54
5 Glendale Avenue, Livingston, New Jersey, 07039;

6 The real property and premises located at 210
7 Pavonia Avenue, Jersey City, New Jersey, 07302;

8 The real property and premises located at 304 Fifth
9 Avenue, New York, New York, 10001;

10 The real property and premises located at 57-07
11 Parsons Boulevard, Fresh Meadows, New York 11365;

12 The real property and premises located at 147-37
13 Beech Avenue, Apartment 2C, Flushing, New York 11355;

14 And the real property and premises located at 4
15 Valentine Farm Court, Old Brookville, New York, 11545.

16 The law provides for the forfeiture of any property,
17 real or personal, used or intended to be used in any manner or
18 part, to commit, or to facilitate the commission of the
19 offenses of which you have convicted the defendant. Even when
20 only part of the property is used illegally, the entire
21 property is subject to forfeiture.

22 It is the government's burden to establish that the
23 property was used, or intended to be used, in any manner or
24 part, to commit, or facilitate the offenses. The government
25 has met its burden if it established the property should be

FORFEITURE HEARING

1 forfeited by a preponderance of the evidence. This is a
2 different standard than the standard that's applied to
3 determine the guilt or non-guilt of the defendant, that was
4 proof beyond a reasonable doubt. At the forfeiture stage,
5 however, the government only has to establish the
6 forfeitability of the property by a preponderance of the
7 evidence, and not by proof beyond a reasonable doubt.

8 What does a preponderance of the evidence mean? To
9 establish a fact by a preponderance of the evidence means to
10 prove that a fact is more likely true than not true. A
11 preponderance of the evidence means the greater weight of the
12 evidence, and it refers to the quality and persuasiveness of
13 the evidence, not to the number of witnesses or documents. In
14 determining whether a claim has been proved by a preponderance
15 of the evidence, you may consider the relevant testimony of
16 all witnesses, regardless of which side called them, and all
17 the relevant exhibits received in evidence, regardless of who
18 produced them.

19 If you find that the weight of the evidence on an
20 issue tips, however slightly, in favor of the government, then
21 you must decide that issue in the government's favor. On the
22 other hand, if you find that the weight of the evidence on an
23 issue tips in favor of the defendant, or that the weight of
24 the evidence is evenly divided between the parties, then you
25 must decide that issue in the defendant's favor. In other

FORFEITURE HEARING

1 words, if the government proves to you that it is more likely
2 than not that its view of the evidence on any particular issue
3 is the truth, then you must decide that issue in the
4 government's favor. If the government does not make the proof
5 tip in its favor, then you must decide that issue in the
6 defendant's favor.

7 When you deliberate about forfeiture, you should not
8 be concerned about what might happen to any property that you
9 find to be forfeitable. You should not concern yourselves
10 with any claims that other people or businesses, whether it's
11 family, friends, business associates, banks or victims, might
12 have to the property. Those interests, if any, will be
13 addressed at a later time.

14 You are also not to consider whether the forfeiture
15 might be excessive or otherwise disproportionate to the crimes
16 of which you have convicted the defendant. This matter is one
17 that is solely entrusted to the Court and if it's appropriate
18 will be addressed at a later time.

19 Your verdict that a specific property is subject to
20 forfeiture must be unanimous, that means that everyone must
21 agree that the evidence proves by a preponderance of the
22 evidence that the property in question, whether it's real or
23 personal, was involved in, used, or intended to be used to
24 commit, or to facilitate the commission of any of the offenses
25 of which you have convicted the defendant, and any property

FORFEITURE HEARING

1 traceable to such property; and/or used to facilitate or was
2 intended to be used to facilitate the commission of any such
3 offenses.

4 When deliberating you may consider any evidence that
5 the parties offered during the trial. Further, with one
6 exception about the burden of proof, which I talked to you
7 about before, all of the instructions that I gave you about
8 the way you consider evidence, the way you evaluate
9 credibility and your obligation to deliberate together,
10 continue to apply during your supplemental deliberations about
11 forfeiture.

12 There's been a verdict sheet, a forfeiture verdict
13 sheet that's been prepared for you. After you have answered
14 all the questions, the foreperson then must sign and date the
15 special forfeiture verdict sheet. I will give that verdict
16 sheet and ask that you retire to the jury room and deliberate
17 with respect to that forfeiture verdict sheet. But before I
18 do that, I just want to see the lawyers at the side with
19 the court reporter to make sure I haven't left anything out.

20 (Sidebar conference.)

21 (Continued on the next page.)

SIDEBAR CONFERENCE

1 THE COURT: Any exceptions other than what you've
2 already said?

3 MR. SNELL: No, Your Honor.

4 THE COURT: What about you?

5 MR. SOLOMON: No.

6 THE COURT: I haven't done this before with
7 forfeiture, I'm assuming when they reach a verdict they send
8 us a note. I didn't quite tell them that. All right.

9 (End of sidebar conference.)

10 (Continued on the next page.)

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FORFEITURE HEARING

1 (In open court.)

2 THE COURT: One additional thing I want to mention,
3 like the last time when you're deliberating, if you have
4 questions or when you have reached a verdict, just send us a
5 note signed by the foreperson.

6 I'm going to have you retire to deliberate. I'm
7 going to keep the alternates separate again. Go ahead.

8 THE COURTROOM DEPUTY: All rise.

9 (Jury exists to deliberate at 10:56 a.m.)

10 THE COURTROOM DEPUTY: You may be seated.

11 THE COURT: I neglected to say this on Friday, but I
12 do want to thank both sides for the professional and excellent
13 presentations, the representations provided to your respective
14 clients was, in my view, at the top of our profession. It was
15 a pleasure to have all of you here, so I do want to thank you
16 for that.

17 MR. SOLOMON: Thank you, Your Honor.

18 MR. RICHARDSON: Thank you, Your Honor.

19 MR. CLEARY: Thank you.

20 THE COURT: I will let you know when we hear
21 anything.

22 (Recess.)

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FORFEITURE HEARING

1 (In open court; jury not present.)

2 (12:01 p.m.)

3 THE COURTROOM DEPUTY: All rise.

4 THE COURT: Everybody can have a seat.

5 So we have three notes from the jury. The first
6 one --

7 THE COURTROOM DEPUTY: Judge, I'm sorry the
8 interpreter didn't get here yet.

9 THE COURT: I've given everybody the notes. You can
10 look at them. When the interpreter gets here, we'll talk
11 about them.

12 Before the interpreters get here, you are looking
13 for the testimony they are requesting?

14 MR. HEEREN: Yes, Your Honor.

15 THE COURT: Excellent.

16 Now that our interpreters are here, I just want to
17 the put the contents of these notes on the record. They are
18 Court Exhibits 8, 9 and 10 and we've given copies to the
19 parties.

20 The first note reads: Does concealing the passport
21 mean the people there did not have their passports or does it
22 mean the actual passports were hidden at that location? Also,
23 does photocopies count as concealing the passports if they
24 were at said location?

25 The second note -- it's signed by the foreperson.

FORFEITURE HEARING

1 The second note reads: Is there any documentation about the
2 license plate seen in Government Exhibit 37 at any other
3 locations?

4 And the last note reads: Can we get De Gao's
5 testimony about the workers at Livingston, 54 Glendale Avenue;
6 Ray Tan's testimony about workers doing work at Livingston;
7 Ken Wang's testimony about chef and any work done at
8 Livingston.

9 So I know you are making efforts to find the
10 testimony, whatever additional documentation is. I'd be
11 interested in your interpretation of the first note. I think
12 they're asking whether the actual passports have to be hidden
13 in the property that's the subject of forfeiture or is it just
14 enough that the workers don't have the passports? I'm not
15 positive about that.

16 And with respect to -- we can also bring them back
17 and ask them for clarification, that might be the smartest
18 thing to do, because the second one in which they request
19 something about the photocopies, I guess that has to do with
20 photocopies of people's visas and passports that were found in
21 the room at whatever address that was. I'm just not a
22 hundred percent what the question is asking.

23 Maybe you have thoughts that I don't, but my
24 suggestion is we could bat it around if you wanted to, but I
25 think the better plan might be just to ask them to clarify

FORFEITURE HEARING

1 exactly what they mean.

2 Does that seem okay?

3 MR. SNELL: That's fine with us, Judge.

4 (Court Exhibit 8, 9 and 10, were received in
5 evidence.)

6 THE COURT: I will bring them out now, ask them to
7 be -- we're not a hundred percent clear what they want and I
8 will tell them that we're just tracking down the other things
9 that they want.

10 THE COURTROOM DEPUTY: All rise.

11 (Jury enters courtroom.)

12 THE COURTROOM DEPUTY: You may be seated.

13 THE COURT: All right, jurors. We have received
14 three notes. I'm going to start with the second and third
15 ones. You're asking about documentation about a license plate
16 and then certain testimony including De Gao's testimony, Ray
17 Tan's testimony and Ken Wang's testimony. The parties are
18 working on getting that together for you.

19 The first note you have I think I need you to go
20 back and clarify exactly what it is you want just because it
21 is not entirely clear to me. I'm going to read it in the
22 record. It says: Does concealing the passport mean -- I'm
23 assuming this is people -- mean the people there did not have
24 their passports or does it mean the actual passports were
25 hidden at that location? Then the second part of it asks, if

FORFEITURE HEARING

1 photocopies count as concealing the passports if they were at
2 said location. If you can clarify that note for us, I would
3 appreciate it. I was having a little trouble -- I want to
4 make sure we answer exactly what it is that you're asking so
5 I'm going to send you back and ask you to clear that up for
6 me. So we will see you -- so just send out another note.
7 Okay? We'll see you in a few minutes.

8 THE COURTROOM DEPUTY: All rise.

9 (Jury exits courtroom.)

10 THE COURTROOM DEPUTY: You may be seated.

11 MR. RICHARDSON: Your Honor, we have agreed upon the
12 testimony for De Gao and Ken Wang. We have one issue with the
13 Ray Tan testimony.

14 THE COURT: What's the issue with Ray Tan.

15 MR. RICHARDSON: The issue with Ray Tan, he
16 testified about some of the drivers that the defendant had
17 used and when he's talking about the drivers he doesn't say
18 specifically that he saw them driving him from Dan Zhong's
19 home, we think it's implied, we'd like to provide that
20 testimony to the jury as well.

21 THE COURT: Can I just look at it?

22 MR. RICHARDSON: Yes, Your Honor, I think it's in
23 the latter half of the packet.

24 THE COURT: So just to be clear, the request is for
25 testimony by workers doing work at Livingston. It doesn't

FORFEITURE HEARING

1 seem to be connected with the house though, I think that's the
2 question. So I think we'll just give them what they want,
3 which is what's connected with the house. I mean he might
4 have used them for other things but it's not entirely clear to
5 me that he saw them being picked up at the location, so...

6 MR. RICHARDSON: Your Honor, whether he saw them
7 deliberately or directly picking up Dan Zhong, we think the
8 jury could infer that Dan Zhong was picked up from the home.

9 THE COURT: Well, yes, but the request is really Ray
10 Tan's testimony about workers doing work at Livingston and I
11 don't think that what you've selected responds to that. So I
12 guess that would end at 369, is that where it would end?

13 MR. SNELL: Yes, Your Honor.

14 THE COURT: Okay. So beyond that, I don't think
15 it's responsive. So I'm going to hand this back to you.

16 Oh, so they said that they have -- we have another
17 note which we'll mark. This will be Court Exhibit 11?

18 THE COURTROOM DEPUTY: Yes.

19 (Court Exhibit 11, was received in evidence.)

20 THE COURT: It says: We have reread the
21 instructions and no longer need clarification. So, good.

22 All right, so let's send back these two -- three
23 transcript excerpts, Mr. Richardson will give us the other
24 one. We'll get that back to the jury and then we'll just keep
25 you posted by what we hear.

FORFEITURE HEARING

1 MR. SOLOMON: Thank you.

2 MR. SNELL: Judge, I think we also need to respond
3 to Exhibit 9, the question about the license plate.

4 THE COURT: That's right. I thought you had that,
5 no?

6 MR. RICHARDSON: So, Your Honor, the license plate
7 they've asked about is blurred in the Google image, so we
8 could show them Government Exhibit 37. I think they have it
9 but they may not be able to see it as close up in the version
10 that they have.

11 THE COURT: For some reason I don't understand what
12 you said.

13 MR. RICHARDSON: I apologize, Your Honor. They have
14 a version of Government Exhibit 37, but it's a letter size.

15 THE COURT: So you can't see it.

16 MR. RICHARDSON: You can't see it, so I think we can
17 bring it in there, put it on the screen and show them it's
18 blurred when you zoom in.

19 MR. SNELL: I think actually the answer to their
20 question is no, there isn't any.

21 THE COURT: I think that's probably right. Because
22 showing them a blurred image is showing them a blurred image,
23 it means that it says no. So let's bring them in just to tell
24 them that.

25 THE COURTROOM DEPUTY: All rise.

FORFEITURE HEARING

1 (Jury enters courtroom.)

2 THE COURTROOM DEPUTY: You may be seated.

3 THE COURT: All right. We found the testimony that
4 you requested. The one question that we haven't answered yet
5 about -- which was your note which asked about whether there
6 was any documentation about the license plate seen in
7 Government Exhibit 37 at any other locations, and the answer
8 to that is no.

9 So I'm going to send you back, we'll get that
10 testimony that you requested also. Thanks so much.

11 THE COURTROOM DEPUTY: All rise.

12 (Jury exits courtroom to continue deliberations.)

13 THE COURTROOM DEPUTY: You may be seated.

14 THE COURT: Now we can be in recess until we hear
15 something else.

16 (Recess.)

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FORFEITURE HEARING

1 (In open court; jury not present.)

2 THE COURTROOM DEPUTY: All rise.

3 THE COURT: Hi, everybody can sit down. Well, we've
4 gotten a note from the jury indicating that they've reached a
5 verdict, signed by the foreperson. It's going to be Court
6 Exhibit 12. So I will bring the jury in, or Donna will bring
7 the jury in.

8 (Court Exhibit 12, was received in evidence.)

9 (Jury enters courtroom.)

10 THE COURTROOM DEPUTY: You may be seated.

11 THE COURT: All right, ladies and gentlemen, I've
12 received your note signed by your foreperson indicating that
13 you have reached a verdict. I'm going to ask the foreperson
14 to please rise. First of all, has the jury reached a verdict
15 on the issues that have been presented to you?

16 THE FOREPERSON: Yes, we have.

17 THE COURT: I'm going to go through each of the
18 questions and ask you what your answer is.

19 Number one: Did the government prove by a
20 preponderance of the evidence that the following properties
21 were involved in, used, or intended to be used to commit or to
22 facilitate the commission of the below offenses for which the
23 jury has convicted Dan Zhong?

24 A. The real property and premises located at 54
25 Glendale Avenue, Livingston, New Jersey 07039. Count One,

FORFEITURE HEARING

1 forced labor conspiracy.

2 What is your answer?

3 THE FOREPERSON: Yes.

4 THE COURT: Count Two, forced labor.

5 THE FOREPERSON: Yes.

6 THE COURT: Count Three, concealing passports and
7 immigration documents in connection with forced labor.

8 THE FOREPERSON: Yes.

9 THE COURT: Count Four, conspiracy to commit alien
10 smuggling.

11 THE FOREPERSON: Yes.

12 THE COURT: Count Five, conspiracy to commit visa
13 fraud.

14 THE FOREPERSON: Yes.

15 THE COURT: B. The real property and premises
16 located at 210 Pavonia Avenue, Jersey City, New Jersey, 07302.

17 Count One, forced labor conspiracy.

18 THE FOREPERSON: Yes.

19 THE COURT: Count Two, forced labor.

20 THE FOREPERSON: Yes.

21 THE COURT: Count Three, concealing passports and
22 immigration documents in connection with forced labor.

23 THE FOREPERSON: Yes.

24 THE COURT: Count Four, conspiracy to commit alien
25 smuggling.

FORFEITURE HEARING

1 THE FOREPERSON: Yes.

2 THE COURT: Count Five, conspiracy to commit visa
3 fraud.

4 THE FOREPERSON: Yes.

5 THE COURT: C. The real property and premises
6 located at 304 Fifth Avenue, New York, New York 10001.

7 Count One, forced labor conspiracy.

8 THE FOREPERSON: Yes.

9 THE COURT: Count Two, forced labor.

10 THE FOREPERSON: Yes.

11 THE COURT: Count Three, concealing passports and
12 immigration documents in connection with forced labor.

13 THE FOREPERSON: Yes.

14 THE COURT: Count Four, conspiracy to commit alien
15 smuggling.

16 THE FOREPERSON: Yes.

17 THE COURT: Count Five, conspiracy to commit visa
18 fraud.

19 THE FOREPERSON: Yes.

20 THE COURT: D. The real property and premises
21 located at 57-07 Parsons Boulevard, Fresh Meadows, New York,
22 11365.

23 Count One, forced labor conspiracy.

24 THE FOREPERSON: Yes.

25 THE COURT: Count Two, forced labor.

FORFEITURE HEARING

1 THE FOREPERSON: Yes.

2 THE COURT: Count Three, concealing passports and
3 immigration documents in connection with forced labor.

4 THE FOREPERSON: Yes.

5 THE COURT: Count Four, conspiracy to commit alien
6 smuggling.

7 THE FOREPERSON: Yes.

8 THE COURT: Count Five, conspiracy to commit visa
9 fraud.

10 THE FOREPERSON: Yes.

11 THE COURT: E. The real property and premises
12 located at 147-37 Beech Avenue, Apartment 2C, Flushing, New
13 York 11355.

14 Count One, forced labor conspiracy.

15 THE FOREPERSON: Yes.

16 THE COURT: Count Two, forced labor.

17 THE FOREPERSON: Yes.

18 THE COURT: Count Three, concealing passports and
19 immigration documents in connection with forced labor.

20 THE FOREPERSON: Yes.

21 THE COURT: Count Four, conspiracy to commit alien
22 smuggling.

23 THE FOREPERSON: Yes.

24 THE COURT: Count Five, conspiracy to commit visa
25 fraud.

FORFEITURE HEARING

1 THE FOREPERSON: Yes.

2 THE COURT: F. The real property and premises
3 located at 4 Valentine Farm Court, Old Brookville, New York
4 11545.

5 Count One, forced labor conspiracy.

6 THE FOREPERSON: Yes.

7 THE COURT: Count Two, forced labor.

8 THE FOREPERSON: Yes.

9 THE COURT: Count Three, concealing passports and
10 immigration documents in connection with forced labor.

11 THE FOREPERSON: Yes.

12 THE COURT: Count Four, conspiracy to commit alien
13 smuggling.

14 THE FOREPERSON: Yes.

15 THE COURT: Count Five, conspiracy to commit visa
16 fraud.

17 THE FOREPERSON: Yes.

18 THE COURT: Thank you. You may be seated.

19 Would either side like the jury polled?

20 MR. SNELL: Yes, please, Your Honor.

21 THE COURT: Ladies and gentlemen, through your
22 foreperson you've answered yes to each of the questions
23 relating to each of the premises listed on the special verdict
24 sheet.

25 Juror Number One, is that your verdict?

FORFEITURE HEARING

1 JUROR NUMBER ONE: Yes.

2 THE COURT: Juror Number Two, is that your verdict?

3 JUROR NUMBER TWO: Yes.

4 THE COURT: Juror number three, is that your
5 verdict?

6 JUROR NUMBER THREE: Yes.

7 THE COURT: Juror number four, is that your verdict?

8 JUROR NUMBER Four: Yes.

9 THE COURT: Juror Number five, is that your verdict?

10 JUROR NUMBER FIVE: Yes.

11 THE COURT: Juror Number six, is that your verdict?

12 JUROR NUMBER SIX: Yes.

13 THE COURT: Juror Number seven, is that your
14 verdict?

15 JUROR NUMBER SEVEN: Yes.

16 THE COURT: Juror Number eight, is that your
17 verdict?

18 JUROR NUMBER EIGHT: Yes.

19 THE COURT: Juror Number nine, is that your verdict?

20 JUROR NUMBER NINE: Yes.

21 THE COURT: Juror Number 10, is that your verdict?

22 JUROR NUMBER TEN: Yes.

23 THE COURT: Juror Number 11, is that your verdict?

24 JUROR NUMBER ELEVEN: Yes.

25 THE COURT: Juror Number 12, is that your verdict?

FORFEITURE HEARING

1 JUROR NUMBER TWELVE: Yes.

2 THE COURT: All right. The jury has been polled.

3 All right, ladies and gentlemen, this does complete your jury
4 service. Like all of the parties, I join all of them in
5 thanking you for the careful attention you paid to the case
6 and for the diligent way in which you exercised your job as
7 jurors. I've never had a jury so prompt in all these years,
8 so I do appreciate that.

9 Whatever your verdict, you have served your
10 community in one of the most important ways a citizen can
11 serve his or her community by serving as a juror in a criminal
12 case. Our system of justice could not function unless we have
13 good people like you who are willing to step up and give of
14 your time as you did.

15 So all of those limitations that I've put on you
16 before now are lifted. You can talk to whomever you choose
17 about the case. You can also choose to talk to no one. You
18 can look anything up on the Internet that you want to look up,
19 all of those restrictions are lifted.

20 I do ask that you wait in the jury room for just a
21 few minutes so I can thank you personally. Thank you so much.

22 THE COURTROOM DEPUTY: All rise.

23 (Jury exits courtroom.)

24 THE COURTROOM DEPUTY: You may be seated.

25 THE COURT: I guess the next thing to do is fix a

FORFEITURE HEARING

1 date for sentence.

2 THE COURTROOM DEPUTY: July 23rd.

3 MR. SOLOMON: That's fine for the government. I
4 imagine it will take a little while to generate a presentence
5 report and that date may have to slip.

6 THE COURT: If we have to change the date we will.

7 THE COURTROOM DEPUTY: 10:30.

8 THE COURT: Is there anything else that we have to
9 do today?

10 MR. CLEARY: I guess I have to renew my motion for
11 Rule 29 and I'll make a motion under Rule 33 for a new trial.

12 THE COURT: Are you doing that right now or are you
13 going to do it --

14 MR. CLEARY: I'm doing it right now.

15 THE COURT: Okay. Do you have anything you want to
16 say about that?

17 MR. SOLOMON: We'll rely on the record, thank you.

18 THE COURT: Well, there was sufficient evidence for
19 the case to go to the jury and the motions, both motions are
20 denied. You have an exception.

21 All right, so the date for now will be July 23rd and
22 if that changes let us know.

23 Once again, I do thank counsel for both sides for a
24 very, very well tried case, a very difficult case and I can't
25 imagine it could have been handled better by anybody.

FORFEITURE HEARING

1 MR. CLEARY: Thank you, Your Honor.

2 MR. SOLOMON: Thank you, Your Honor.

3 THE COURT: Thank you so much.

4 (Whereupon, the trial concluded at 3:04 p.m.)

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MR. CLEARY: [4] 2093/18 2108/9 2108/13 2108/25 MR. HEEREN: [1] 2094/13 MR. RICHARDSON: [8] 2093/17 2097/10 2097/14 2097/21 2098/5 2099/5 2099/12 2099/15 MR. SNELL: [14] 2068/2 2069/7 2069/10 2080/10 2080/12 2080/19 2081/2 2081/4 2092/2 2096/2 2098/12 2099/1 2099/18 2105/19 MR. SOLOMON: [21] 2066/7 2066/13 2066/15 2067/3 2067/5 2067/9 2067/20 2068/16 2068/22 2069/1 2069/5 2069/15 2069/21 2073/16 2085/8 2092/4 2093/16 2098/25 2108/2 2108/16 2109/1 THE COURT: [104] THE COURTROOM DEPUTY: [22] 2066/1 2072/6 2080/16 2093/7 2093/9 2094/2 2094/6 2096/9 2096/11 2097/7 2097/9 2098/17 2099/24 2100/1 2100/10 2100/12 2101/1 2101/9 2107/21 2107/23 2108/1 2108/6 THE FOREPERSON: [31] 2101/15 2102/2 2102/4 2102/7 2102/10 2102/13 2102/17 2102/19 2102/22 2102/25 2103/3 2103/7 2103/9 2103/12 2103/15 2103/18 2103/23 2103/25 2104/3 2104/6 2104/9 2104/14 2104/16 2104/19 2104/22 2104/25 2105/5 2105/7 2105/10 2105/13 2105/16 THE INTERPRETER: [2] 2068/20 2080/17 THE JURY: [3] 2072/3 2072/8 2080/11 - -----x [2] 2065/2 2065/7 -against [1] 2065/5	2 2009 [1] 2079/6 2010 [2] 2079/7 2082/13 2011 [1] 2078/19 2013 [1] 2085/14 2015 [3] 2077/15 2077/23 2083/22 2016 [3] 2079/12 2082/14 2083/22 2019 [1] 2065/5 210 [7] 2074/21 2078/15 2078/18 2079/13 2080/5 2088/6 2102/16 23rd [2] 2108/2 2108/21 25 [1] 2065/5 26 [1] 2077/15 271 [1] 2065/13 2777 [1] 2065/23 2795 [1] 2065/23 29 [1] 2108/11 2C [3] 2077/21 2088/13 2104/12	address [3] 2077/20 2078/10 2095/21 addressed [2] 2090/13 2090/18 affectionately [1] 2074/16 after [7] 2072/24 2073/11 2077/4 2082/9 2083/18 2085/23 2091/13 against [1] 2065/5 Agent [5] 2074/11 2077/11 2078/8 2079/13 2079/18 agree [2] 2086/7 2090/21 agreed [3] 2066/15 2066/16 2097/11 ahead [1] 2093/7 aided [1] 2065/25 alert [1] 2069/10 ALEXANDER [1] 2065/14 alien [10] 2075/14 2075/17 2079/9 2086/23 2102/9 2102/24 2103/14 2104/5 2104/21 2105/12 aliens [1] 2084/20 alleged [4] 2072/15 2073/19 2073/22 2080/3 alleges [1] 2087/23 almost [1] 2074/23 alternate [3] 2072/3 2072/6 2073/10 alternates [3] 2071/2 2073/13 2093/7 Am [1] 2067/19 AMD [1] 2065/2 AMERICA [1] 2065/3 amount [1] 2081/14 analysis [2] 2074/23 2078/15 and/or [1] 2091/1 anecdote [1] 2077/4 ANN [1] 2065/9 another [2] 2097/6 2098/16 answer [5] 2097/4 2099/19 2100/7 2101/18 2102/2 answered [3] 2091/13 2100/4 2105/22 apart [1] 2066/10 Apartment [3] 2077/21 2088/13 2104/12 apologize [1] 2099/13 apparently [1] 2066/17 APPEARANCES [1] 2065/11 appeared [1] 2078/12 applied [1] 2089/2 applies [1] 2086/2 apply [3] 2086/3 2086/5 2091/10 appreciate [2] 2097/3 2107/8 appropriate [1] 2090/17 approvals [1] 2078/1 approximately [1] 2079/6 argument [2] 2068/7 2086/9 arguments [1] 2072/23 around [3] 2077/3 2080/1 2095/24 arrives [2] 2079/1 2079/2 associates [1] 2090/11 assuming [2] 2092/7 2096/23 attention [2] 2085/3 2107/5 ATTORNEY'S [1] 2065/12 August [1] 2085/14 August 2013 [1] 2085/14 AUSA [3] 2065/14 2065/14 2065/15 authorized [1] 2075/16 Avenue [21] 2074/12 2074/20 2076/7 2077/7 2077/14 2077/21 2078/10 2078/13 2080/4 2080/4 2081/9 2083/19 2088/5 2088/7 2088/9 2088/13 2095/5 2101/25 2102/16 2103/6 2104/12 away [1] 2079/3
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6 614 [1] 2065/2	6 614 [1] 2065/2	
7 707 [1] 2077/2 718 [2] 2065/23 2065/23	7 707 [1] 2077/2 718 [2] 2065/23 2065/23	
8 801 [1] 2077/22 804-2777 [1] 2065/23 804-2795 [1] 2065/23 8299 [1] 2065/17	8 801 [1] 2077/22 804-2777 [1] 2065/23 804-2795 [1] 2065/23 8299 [1] 2065/17	
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B	<p> 2079/10 2084/6 2086/9 charged [4] 2072/12 2072/16 2073/6 2080/6 charges [1] 2080/9 chat [1] 2077/21 chef [2] 2077/6 2095/7 China [15] 2074/13 2074/25 2076/9 2076/18 2076/20 2076/25 2077/2 2078/17 2079/6 2079/18 2082/5 2083/15 2083/18 2085/16 2085/23 Chinese [10] 2082/2 2082/6 2082/7 2082/25 2083/12 2083/18 2083/20 2083/25 2084/1 2084/2 choose [2] 2107/16 2107/17 citizen [1] 2107/10 City [2] 2088/7 2102/16 claim [1] 2089/14 claims [1] 2090/10 clarification [2] 2095/17 2098/21 clarify [4] 2071/1 2095/25 2096/20 2097/2 clause [1] 2066/10 clear [5] 2096/7 2096/21 2097/5 2097/24 2098/4 CLEARY [1] 2065/18 clients [1] 2093/14 close [1] 2099/9 co [9] 2074/19 2077/8 2077/10 2077/14 2078/2 2078/2 2078/4 2078/10 2078/13 co-op [9] 2074/19 2077/8 2077/10 2077/14 2078/2 2078/2 2078/4 2078/10 2078/13 Code [2] 2086/11 2086/21 colleague [1] 2077/9 comfortable [1] 2074/6 coming [1] 2083/19 commission [14] 2066/21 2067/3 2067/6 2084/17 2086/18 2087/2 2087/7 2087/15 2087/16 2088/1 2088/18 2090/24 2091/2 2101/22 commit [25] 2066/20 2073/21 2074/2 2074/3 2080/6 2086/17 2087/7 2087/11 2087/25 2088/18 2088/24 2090/24 2101/21 2102/9 2102/12 2102/24 2103/2 2103/14 2103/17 2104/5 2104/8 2104/21 2104/24 2105/12 2105/15 committed [2] 2081/20 2084/3 committing [1] 2073/6 communications [2] 2077/13 2077/23 community [2] 2107/10 2107/11 company [3] 2075/7 2082/3 2084/1 complete [2] 2078/3 2107/3 compromise [1] 2066/9 computer [1] 2065/25 computer-aided [1] 2065/25 concealing [12] 2084/19 2086/13 2094/20 2094/23 2096/22 2097/1 2102/6 2102/21 2103/11 2104/2 2104/18 2105/9 conceding [1] 2081/7 concentrate [1] 2081/17 concern [1] 2090/9 concerned [3] 2073/14 2083/23 2090/8 conclude [1] 2083/7 concluded [1] 2109/4 conclusion [2] 2081/22 2085/1 conduct [3] 2079/13 2086/20 2087/4 conducted [1] 2085/12 conference [4] 2070/2 2071/4 2091/20 </p>	<p> 2092/9 confident [2] 2084/22 2084/25 confusion [1] 2082/21 connected [2] 2098/1 2098/3 connection [11] 2072/19 2083/8 2084/11 2086/14 2087/13 2102/7 2102/22 2103/12 2104/3 2104/19 2105/10 conscientiously [1] 2084/23 consider [6] 2072/17 2073/1 2089/15 2090/14 2091/4 2091/8 considered [2] 2084/25 2087/5 considering [2] 2072/25 2084/16 consistent [1] 2080/7 conspiracy [24] 2078/24 2084/19 2084/20 2086/13 2086/23 2086/23 2102/1 2102/9 2102/12 2102/17 2102/24 2103/2 2103/7 2103/14 2103/17 2103/23 2104/5 2104/8 2104/14 2104/21 2104/24 2105/5 2105/12 2105/15 contention [1] 2067/15 contents [1] 2094/17 continue [2] 2091/10 2100/12 Continued [4] 2070/3 2071/5 2091/21 2092/10 continues [1] 2077/22 contraband [1] 2079/15 contracting [1] 2075/12 contrary [1] 2083/13 contribute [1] 2083/4 convicted [11] 2066/22 2067/7 2084/5 2086/12 2086/22 2087/8 2087/9 2088/19 2090/16 2090/25 2101/23 cook [7] 2082/4 2082/5 2082/8 2082/10 2082/14 2083/24 2085/21 cooked [2] 2082/10 2085/23 cooking [1] 2082/14 copies [1] 2094/18 copy [1] 2068/22 correct [2] 2067/21 2067/25 corroboration [2] 2085/13 2085/15 counsel [4] 2066/9 2085/10 2085/19 2108/23 count [39] 2075/8 2075/8 2075/13 2075/14 2079/9 2079/10 2079/11 2094/23 2097/1 2101/25 2102/4 2102/6 2102/9 2102/12 2102/17 2102/19 2102/21 2102/24 2103/2 2103/7 2103/9 2103/11 2103/14 2103/17 2103/23 2103/25 2104/2 2104/5 2104/8 2104/14 2104/16 2104/18 2104/21 2104/24 2105/5 2105/7 2105/9 2105/12 2105/15 country [2] 2075/11 2082/6 counts [5] 2072/12 2075/4 2075/4 2086/15 2086/24 couple [1] 2068/23 course [4] 2072/11 2073/2 2074/7 2083/14 court [24] 2065/1 2065/22 2066/1 2066/17 2070/1 2072/1 2074/16 2080/5 2084/7 2085/6 2088/15 2090/17 2091/19 2093/1 2094/1 2094/18 2096/4 2098/17 2098/19 2101/1 2101/5 2101/8 2105/3 2109/8 Courthouse [1] 2065/3 courtroom [8] 2069/24 2072/6 2096/11 2097/9 2100/1 2100/12 2101/9 2107/23 CR [1] 2065/2 </p>
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<p>C</p> <p>CRAIG [2] 2065/14 2065/15 crazy [1] 2077/9 credibility [2] 2073/3 2091/9 crew [1] 2083/17 crime [3] 2074/2 2074/3 2087/10 crimes [11] 2072/16 2073/6 2073/22 2080/6 2081/19 2083/9 2084/3 2084/6 2084/11 2084/17 2090/15 criminal [5] 2065/8 2072/20 2086/20 2087/4 2107/11 cylinder [1] 2078/22</p>	<p>discussions [1] 2066/8 disproportionate [1] 2090/15 DISTRICT [4] 2065/1 2065/1 2065/9 2065/12 divided [1] 2089/24 documentation [4] 2095/1 2095/10 2096/15 2100/6 documents [11] 2079/16 2079/17 2079/19 2086/14 2089/13 2102/7 2102/22 2103/12 2104/3 2104/19 2105/10 done [13] 2075/3 2075/5 2075/9 2076/13 2077/13 2077/20 2078/17 2079/6 2082/16 2082/18 2084/24 2092/6 2095/7 Dongsheng's [1] 2079/20 Donna [1] 2101/6 DONNELLY [2] 2065/9 2084/6 door [1] 2078/22 doors [1] 2078/22 dormitories [1] 2079/8 dormitory [1] 2079/6 double [1] 2078/22 doubt [3] 2075/24 2089/4 2089/7 down [3] 2066/3 2096/8 2101/3 drinking [1] 2077/4 drive [1] 2077/2 drivers [2] 2097/16 2097/17 driving [1] 2097/18 duplicative [1] 2068/12 during [4] 2074/21 2079/7 2091/5 2091/10</p>	<p>established [1] 2088/25 establishing [1] 2074/25 evaluate [2] 2073/2 2091/8 evenly [1] 2089/24 evidence [44] 2066/19 2067/1 2068/4 2073/1 2073/3 2073/3 2074/24 2075/25 2076/4 2076/6 2076/8 2079/5 2079/15 2080/2 2080/2 2081/12 2081/14 2081/18 2081/20 2083/7 2084/25 2085/11 2089/1 2089/7 2089/8 2089/9 2089/11 2089/12 2089/13 2089/15 2089/17 2089/19 2089/22 2089/24 2090/2 2090/21 2090/22 2091/4 2091/8 2096/5 2098/19 2101/8 2101/20 2108/18 exact [1] 2077/19 exactly [7] 2074/24 2075/25 2078/7 2085/19 2096/1 2096/20 2097/4 excellent [2] 2093/12 2094/15 exception [2] 2091/6 2108/20 exceptions [1] 2092/1 excerpts [1] 2098/23 excessive [1] 2090/15 excessiveness [1] 2068/13 exclusively [1] 2087/18 exercised [1] 2107/6 Exhibit [12] 2077/22 2079/17 2095/2 2096/4 2098/17 2098/19 2099/3 2099/8 2099/14 2100/7 2101/6 2101/8 Exhibit 11 [1] 2098/17 Exhibit 12 [1] 2101/6 Exhibit 310 [1] 2079/17 Exhibit 37 [4] 2095/2 2099/8 2099/14 2100/7 Exhibit 801 [1] 2077/22 Exhibit 9 [1] 2099/3 exhibits [2] 2089/17 2094/18 exists [1] 2093/9 exits [3] 2097/9 2100/12 2107/23 expect [1] 2073/25 expert [1] 2073/25 explained [2] 2073/4 2080/24 extremely [1] 2081/14</p>
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<p>G</p> <p>Gao [11] 2076/22 2076/23 2076/24 2083/14 2083/16 2083/16 2083/19 2083/23 2085/19 2085/20 2097/12 Gao's [2] 2095/4 2096/16 gave [2] 2086/3 2091/7 generate [1] 2108/4 gentlemen [4] 2086/1 2101/11 2105/21 2107/3 Georgette [1] 2065/22 Georgetteb25 [1] 2065/24 given [3] 2081/24 2094/9 2094/18 Glendale [18] 2074/15 2076/7 2077/7 2080/4 2081/9 2081/15 2081/18 2081/21 2082/4 2083/8 2083/12 2083/16 2083/21 2083/24 2084/17 2088/5 2095/5 2101/25 gmail.com [1] 2065/24 goes [1] 2076/16 good [10] 2066/3 2069/1 2072/5 2072/8 2072/9 2073/17 2080/11 2080/12 2098/21 2107/13 Google [2] 2085/13 2099/7 government [28] 2065/12 2066/18 2066/25 2069/6 2072/14 2073/16 2073/20 2073/23 2074/4 2081/5 2081/17 2082/11 2083/13 2084/9 2084/15 2085/2 2087/23 2088/24 2089/5 2089/20 2090/1 2090/4 2095/2 2099/8 2099/14 2100/7 2101/19 2108/3 government's [3] 2088/22 2089/21 2090/4 greater [1] 2089/11 group [1] 2083/20 guess [5] 2069/21 2095/19 2098/12 2107/25 2108/10 guided [1] 2086/9 guilt [3] 2080/8 2089/3 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